

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

FRANCISCO T. DIAZ,

Plaintiff,

vs.

COMMISSIONER SOCIAL SECURITY,

Defendant.

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CASE NO. 1:17-cv-1602

OPINION AND ORDER
[Resolving Doc. [1](#)]

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

On July 31, 2017, Plaintiff Francisco Diaz filed a complaint seeking judicial review of the Defendant Commissioner of Social Security's decision to deny his applications for a period of disability, Disability Insurance Benefits, and Supplemental Security Income.¹ The Court referred the matter to Magistrate Judge Jonathan D. Greenberg.

On May 8, 2018, Magistrate Judge Greenberg issued a Report and Recommendation ("R&R") recommending that this Court affirm the Commissioner's final decision.² Objections to the R&R were due May 22, 2018, and Plaintiff Diaz has filed no objections.

The Federal Magistrates Act requires a district court to conduct a *de novo* review only of those portions of an R&R to which the parties have made an objection.³ Failure to timely object waives a party's right to appeal the magistrate's report.⁴ So, where a party does not object to the R&R, a district court may adopt it without review.⁵

¹ Doc. [1](#).

² Doc. [17](#).

³ 28 U.S.C. § 636(b)(1)(C).

⁴ *Thomas v. Arn*, 474 U.S. 140, 145 (1985); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).

⁵ *See Thomas*, 474 U.S. at 149-50.

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Accordingly, in light of Plaintiff Diaz's failure to object to the R&R in this case, the Court **ADOPTS** Magistrate Judge Greenberg's R&R, incorporates it as if fully restated herein, and **AFFIRMS** the Commissioner's final decision.

IT IS SO ORDERED.

Dated: May 23, 2018

s/ *James S. Gwin*
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE